

03/19/01  
J1048 U.S. PTO

03-20-01

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> (New Nonprovisional Applications Under 37 CFR § 1.53(b))	Attorney Docket No. <u>GC-425</u>
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Jc972 U.S. PTO  
09/811754  
03/19/01

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Ed Schuler et al, entitled Use of Streptomyces Hyalurolyticus Enzyme in Ophthalmic Treatments for a(n):

- (X) Original Patent Application.
- ( ) Continuing Application (prior application not abandoned):
- ( ) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_
  - ( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

**Enclosed are:**

- (X) Specification; 11 Total Pages. ( ) Drawing(s); 0 Total Sheets.
- (X) Oath or Declaration:
- (X) A Newly Executed Combined Declaration and Power of Attorney:
    - (X) Signed. ( ) Unsigned. ( ) Partially Signed.
  - ( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).
  - ( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.
  - ( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
  - ( ) Power of Attorney. (X) Return Receipt Postcard.
  - ( ) Associate Power of Attorney. (X) A Check in the amount of \$355.00 for the Filing Fee.
  - ( ) Preliminary Amendment. ( ) Information Disclosure Statement and Form PTO-1449.
  - ( ) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.
  - ( ) A Certified Copy of Priority Documents (if foreign priority is claimed).
  - ( ) Statement(s) of Status as a Small Entity.
  - ( ) Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.
  - ( ) Other: \_\_\_\_\_

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	8	0	\$9.00	\$ 0.00
Independent Claims	2	0	\$40.00	\$0.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$0.00
Basic Filing Fee				\$355.00
Total Filing Fee				\$355.00

Charge \$ 0.00 to Deposit Account 16-0478 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

Respectfully submitted,  
By: [Signature]  
Sheldon H. Parker, Attorney of Record, Reg. No.

Date: March 19, 2001

**Correspondence Address:**

Sheldon H. Parker  
300 Preston Avenue  
Suite 300  
Charlottesville, Virginia 22902  
Phone: 804-817-6606  
Fax: 804-817-6610

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

By: [Signature]

Typed Name: Mistie Dyke

Express Mail Label No.: EL762990304US

Date of Deposit: March 19, 2001

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

**Complete if Known**

<b>TOTAL AMOUNT OF PAYMENT</b> (\$355.00)		<b>Application Number</b>	
		<b>Filing Date</b> March 19, 2001	
		<b>First Named Inventor</b> Ed Schuler et al	
		<b>Examiner Name</b>	
		<b>Group Art Unit</b>	
		<b>Attorney Docket No.</b>	GC-425

**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 16-0478

Deposit Account Name: Sheldon H. Parker

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

**FEE CALCULATION (continued)**

3. ADDITIONAL FEES									
Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid				
105	130	205	65	Surcharge - late filing fee or oath					
127	50	227	25	Surcharge - late provisional filing fee or cover sheet					
139	130	139	130	Non-English specification					
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination					
112	920*	112	920*	Requesting publication of SIR prior to Examiner action					
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action					
115	110	215	55	Extension for reply within first month					
116	390	216	195	Extension for reply within second month					
117	890	217	445	Extension for reply within third month					
118	1,390	218	695	Extension for reply within fourth month					
128	1,890	228	945	Extension for reply within fifth month					
119	310	219	155	Notice of Appeal					
120	310	220	155	Filing a brief in support of an appeal					
121	270	221	135	Request for oral hearing					
138	1,510	138	1,510	Petition to institute a public use proceeding					
140	110	240	55	Petition to revive - unavoidable					
141	1,240	241	620	Petition to revive - unintentional					
142	1,240	242	620	Utility issue fee (or reissue)					
143	440	243	220	Design issue fee					
144	600	244	300	Plant issue fee					
122	130	122	130	Petitions to the Commissioner					
123	50	123	50	Processing fee under 37 CFR 1.17(q)					
126	180	126	180	Submission of Information Disclosure Stmt					
581	40	581	40	Recording each patent assignment per property (times number of properties)					
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))					
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))					
179	710	279	355	Request for Continued Examination (RCE)					
169	900	169	900	Request for expedited examination of a design application					
Other fee (specify)									
*Reduced by Basic Filing Fee Paid									
<b>SUBTOTAL (3)</b>					<b>(\$0.00)</b>				

**FEE CALCULATION****1. BASIC FILING FEE**

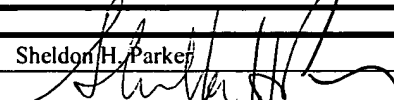
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	355.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>(\$355.00)</b>

**2. EXTRA CLAIM FEES**

Total Claims		Extra Claims		Fee from Below		Fee Paid	
Independent	Dependent						
8	-20**=						
2	-3**=						
Multiple Dependent							0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b> (\$0.00)				

\*\* or number previously paid, if greater; For Reissues, see above

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Sheldon H. Parker	Registration No. (Attorney/Agent)	20,738
Signature		Telephone	804-817-6606
		Date	March 19, 2001

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant commissioner for Patents, Washington, DC 20231.

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<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		Ed Schuler et al.
	Title	Use of Streptomyces Hyalurolyticus Enzyme in Ophthalmic Treatments	
	Atty Docket Number		GC-425

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 19, 2001

Date

  
Signature

Sheldon H. Parker, Reg. No. 20,738

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.